

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MICHAEL R. WARE,

Plaintiff,

v.

U.S. DEPARTMENT OF THE INTERIOR, et
al.,

Defendants.

3:07-CV-00032-LRH-VPC

ORDER

Presently before the court are two motions filed by Plaintiff Michael Ware. The first is a Motion for Extension of Time to File Motion for Judgment on the Pleadings (#35¹). The second is a Motion to Set Aside October 27, 2008 Hearing (#36). Defendants U.S. Department of the Interior and U.S. Department of Justice have filed a response to these motions.

Plaintiff's first motion asks this court for an extension of time to file a motion for judgment on the pleadings. Defendants are correct that there is no deadline for filing such a motion. The motion for extension of time is therefore denied.

Plaintiff's second motion asks this court to set aside the currently scheduled October 27, 2008, hearing so that Plaintiff can file a motion for judgment on the pleadings. Because Plaintiff states no basis for why his anticipated motion for judgment on the pleadings has any bearing on the

¹Refers to the court's docket

1 issues to be addressed at the hearing, Plaintiff's motion to set aside the hearing is denied.

2 Finally, Defendants ask this court to schedule a status conference prior to the October 27th
3 hearing in order to clarify Plaintiff's position and perhaps obviate the need for a hearing. The court
4 agrees that a status conference would be helpful in clarifying the status of this action. Accordingly,
5 the court will hold a status conference before the October 27th hearing.

6 IT IS THEREFORE ORDERED that Plaintiff's Motion for Extension of Time to File
7 Motion for Judgment on the Pleadings (#35) is DENIED.

8 IT IS FURTHER ORDERED that Plaintiff's Motion to Set Aside October 27, 2008 Hearing
9 (#36) is DENIED.

10 IT IS FURTHER ORDERED that a status conference is hereby set for October 21, 2008, at
11 10:00 a.m. in Courtroom 5 of the Bruce R. Thompson Federal Courthouse in Reno, Nevada. If
12 either of the parties wish to appear telephonically, they may contact the Courtroom Administrator,
13 Rosemarie Miller, at 775-686-5829 for further instructions.

14 IT IS SO ORDERED.

15 DATED this 9th day of October, 2008.



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18 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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